



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,776	11/13/2000	Christer Bohm	AB-1006 US	4325

7590 01/09/2004

Alan MacPherson  
MacPherson Kwok Chen & Heid, LLP  
2001 Gateway Place, Suite 195  
San Jose, CA 95110

EXAMINER

HOANG, THAI D

ART UNIT

PAPER NUMBER

2667

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/581,776	BOHM ET AL.
Examiner	Art Unit	
Thai D Hoang	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on application filed on 11/13/2000.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-12 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
 a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1.  
 4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 8 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The statement "wherein said associating means are provided at an port of said switch, said port receiving said first bitstream" recited in claim 8 is not defined in the specification. Accordingly, on page 7, lines 21-32, the specification does not disclose any information to indicate the associating means are provided at the receiving port.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being unpatentable by Cotton et al, US Patent No. 5,623,489, hereafter referred to as Cotton.

Regarding claims 1 and 7, Cotton discloses a method and system for allocating channel in a switching network. Cotton teaches that the system selects available switch port and time division multiplexed channel for out going transmission in a network of switch elements. In figures 2 and 3a-3e, Cotton discloses that each frame of the TDM format includes thirty-two channels. Each channel has thirty bits over a communication links including twenty-four bits of channel information when processed in a switch element; fig. 2; col. 4, lines 37-40; col. 6, lines 56-58 (tagging data read from a time slot of a first bit stream of said bit streams with an identified). Based on the channel information, the incoming voice and data are transmitted to a respective port associated with a channel; col. 8, line 65 – col. 10, line 65 (selecting, for each one of at least a second and a third bit stream of said bit streams, into which respective time slot thereof to transmit said data based upon said identifier)

Regarding claims 2 and 10, figures 3 and 12-15 of the system disclosed by Cotton show the system architecture is based on the use of 24-bit pulse code modulated (PCM) channels that simultaneously transmit and receive speech and data stream within the switch; col. 4, lines 38-40 (transferring said data and said identifier within said switch using time slots of a switch internal bit stream)

Regarding claim 3, the data and speech in the system disclosed by Cotton is concatenated with the channel information; col. 4, lines 37-40 (wherein said data is concatenated with said identifier)

Regarding claims 4 and 11, Cotton discloses that based on 24 bit of the channel information, the incoming voice and data are transmitted to a respective port associated

with a channel; col. 8, line 65 – col. 10, line 65 (the identifier identifies a channel, which is to be switched from said first bit stream to said second and said third bit stream and which said data refers to, and wherein said selecting step comprises selecting a time slot of said second bit stream and a time slot of said third bit stream based upon the channel information provide)

Regarding claims 5 and 9, Cotton discloses that the system comprises a available table for selecting available port and channel to output; figs. 7a-c, 9a and 9c; col. 1, line 60 – col. 2, line 27 (the selecting step comprises selecting the next available time slot of said channel on the respective bit stream of said second and third bit streams)

Regarding claims 6 and 12, Cotton discloses that the network is a TDM network; abstract (wherein said network is a DTM network).

Regarding claim 8, as best understood, Cotton discloses that the incoming speech and data stream are received at an input port of the switch, and processed within the switch to output at a selected output port, figs. 3a, b, d-e and 12-13 (wherein said associating means are provided at an port of said switch, said port receiving said first bit stream).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to the application:

US Patent No. 6,044,085, Horlander discloses "A Method for arbitrating for access to a control channel in a data bus system"

US Patent No. 3,997,874 A, Kelly et al disclose "Time divided switching and concentration apparatus"

US Patent No. 4,991,169 A, Almond et al disclose "Real-time digital signal processing relative to multiple digital communication channels"

US Patent No. 6,034,965, Pollack et al disclose "A Multi-stream associative memory architecture for computer telephony"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D Hoang whose telephone number is (703) 305-3232. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305-4378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Thai Hoang

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600  
1/20/84